

1 UNITED STATES OF AMERICA
2 ENVIRONMENTAL PROTECTION AGENCY
3 -----

4 In the Matter of:

5 Informational Meeting and Public Hearing
6 on the proposed Land Ban Exemption for the
7 EDS Hazardous Waste Injection Wells in
8 Romulus, Wayne County, Michigan.
9 -----

10 PUBLIC HEARING

11 PROCEEDINGS HAD in the above-entitled matter
12 before the Environmental Protection Agency, LISA PERENCHIO,
13 Hearing Officer, at the Crowne Plaza, 8000 Merriman Road,
14 Romulus, Michigan, commencing at 7:00 p.m. on Wednesday,
15 January 8, 2003.

16 APPEARANCES:

17 MS. LISA PERENCHIO, Hearing Officer

18 MS. DANA RZEZNIK, Permit Writer for the EDS Wells

19 MS. SALLY SWANSON, Acting UIC Branch Chief at USEPA
20 in Chicago, Illinois

21 MR. DAVE NOVAK, USEPA Office of Public Affairs

22 MS. PHILLIPPA CANNON, USEPA Office of Public Affairs

23 MS. MARIA GONZALES, Regional Counsel, EPA Office

24 MR. HARLAN GERRISH, USEPA, Geologist and lead reviewer

25 REPORTER: Lynne Marie Zakrzewski, RMR, CSR-3179

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1 Romulus, Michigan

2 Wednesday, January 8, 2003

3 7:00 p.m.

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5 MR. NOVAK: We do have a court reporter recording
6 everything that happens for the next two hours. This is the
7 official portion of the evening. We are going to listen to
8 your comments. The way it will go, as you signed in, we've
9 got your number, I will keep track of the numbers, and
10 you'll get three minutes to make your statement. At the end
11 of three minutes, relinquish your time, please, to the next
12 person. We do have a lot of commenters, so we need to move
13 right along. So please respect the other person's time
14 limit.

15 I'm going to turn it over to the hearing officer,
16 and she will go through basically everything that needs to
17 be done for the record on that. And that is Lisa Perenchio,
18 Underground Injection Section Chief.

19 MS. PERENCHIO: Thank you, Dave.

20 Good evening. Welcome to this U.S. Environmental
21 Protection Agency hearing. My name is Lisa Perenchio, and
22 I'm the hearing officer representing the United States
23 Environmental Protection Agency or USEPA for short for
24 tonight's public hearing.

25 With me today are Harlan Gerrish, a geologist with

1 the USEPA and lead reviewer of the Environmental Disposal
2 Systems' or EDS petition for exemption from the prohibition
3 of land disposal of hazardous wastes; Dana Rzeznik, permit
4 writer for the EDS wells; Sally Swanson, who's in the back
5 by the -- over there talking to Dave, who's the acting
6 underground injection control branch chief at USEPA in
7 Chicago; Dave Novak from the USEPA Office of Public Affairs;
8 Phillippa Cannon, who's also in back at the back table who's
9 also from the USEPA Office of Public Affairs; Maria Gonzales
10 of the USEPA Office of Regional Counsel, our attorney; and
11 Dave Westjohn from the U.S. Geological Survey. I'm not sure
12 where he is right now. He's the external reviewer of the
13 EDS petition.

14 We're here today to listen to your comments
15 regarding the draft exemption from the ban on disposal of
16 hazardous wastes through injection wells that the USEPA has
17 proposed to issue to Environmental Disposal Systems for
18 their Romulus, Michigan, facility.

19 The exemption, which is the subject of tonight's
20 hearing, is being proposed according to the Federal
21 Underground Injection Control Program requirements, which
22 can be found in the Code of Federal Regulations at Title 40,
23 Section 148.22.

24 The Hazardous and Solid Waste Amendments to the
25 Resource Conservation & Recovery Act, which were enacted on

1 November 8, 1984, placed substantial additional
2 responsibilities on those who handle hazardous wastes. The
3 amendments prohibit the land disposal of untreated hazardous
4 waste beyond specified dates, unless the USEPA determines
5 that the prohibition is not required in order to protect
6 human health and the environment for as long as the waste is
7 hazardous. After the effective date of the prohibition,
8 hazardous waste can only be injected under two
9 circumstances:

10 The first is when the waste has been treated in
11 accordance with the requirements of 40 Code of Federal
12 Regulations, Part 268, as required by Section 3004(m) of the
13 Resource Conservation & Recovery Act -- and the EPA has
14 adopted the same treatment standards under the underground
15 injection control program in 40 Code of Federal Regulations,
16 Part 148, subpart B; or

17 When the owner/operator has demonstrated that to a
18 reasonable degree of certainty there will be no migration of
19 hazardous constituents from the injection zone for as long
20 as the waste remains hazardous.

21 EDS has submitted a petition that uses
22 mathematical models to demonstrate that the injected fluids
23 will not migrate out of the injection zone for 10,000 years.
24 Harlan Gerrish will be describing the petition process and
25 the safeguards provided to protect the environment.

1 Announcements of this public hearing were made in
2 the "Romulus Roman" and the "News Herald" and were mailed to
3 those who provided comments on previous USEPA actions
4 regarding EDS.

5 Now I'd like to tell you a little bit about the
6 nature of the public hearing. Public hearings provide the
7 public with an opportunity to state their views on an
8 intended regulatory action. Although oral presentations are
9 recorded word for word by a court reporter, there's no sworn
10 testimony or cross-examination. This is your opportunity to
11 tell us officially whether you feel the terms of the
12 exemption are consistent with USEPA's Underground Injection
13 Control Program requirements and whether the facts, as the
14 USEPA has determined them, are accurate.

15 The USEPA will consider all comments relative to
16 the regulatory standards in making its decision to grant or
17 deny this exemption for EDS. If you wish to make a
18 statement at this hearing and you have not already done so,
19 please fill out a registration slip available at the table
20 outside of the room so that we can enter correctly your name
21 in the hearing record.

22 Even if you don't choose to make a statement,
23 please sign in if you wish to receive a copy of the agency's
24 response to the comments that we receive tonight and
25 throughout the public comment period and a final decision.

1 Copies of the transcript of this hearing as well
2 as all written comments submitted in this proceeding will be
3 maintained at the USEPA Region 5 office in Chicago and will
4 become a part of the administrative record for this
5 decision.

6 The public comment period will run through
7 January 22d, 2003, so that if you have written statements
8 you wish to submit after the hearing is over, you may send
9 those to the USEPA at the address on the fax sheet, which
10 has been provided on the table.

11 First Mr. Gerrish will read his statement into the
12 record. I will then begin calling on those who have checked
13 that they would like to read a statement and have it
14 transcribed by the court reporter.

15 Harlan?

16 MR. GERRISH: Thank you. And before I start on my
17 prepared statement, my attorney asked that I make a couple
18 of clarifications.

19 I previously read a statement, and in that
20 statement I talked about why there are exemptions, and she
21 thought it might have given the impression that we are
22 relaxing a rule, and, in fact, the exemption is also part of
23 the rule. Any relaxation of a ban is part of the rules.
24 It's not us making this relaxation; it's not something
25 somebody decided to do yesterday. It's part of the original

1 rule.

2 And the other thing was --

3 MS. GONZALES: Just an observation that the
4 purpose for the hearing is to allow folks to comment.
5 That's why we don't respond to the comments during the
6 hearing. We want to hear them out, take them back, consider
7 them, and prepare a written response later. This way we
8 don't respond in the comment hearing. It's not like there
9 was a ban of us responding. It's more of that's not the
10 purpose of the public hearing.

11 We just wanted to clarify that and the fact that
12 we are, you know -- the reason that we made our initial
13 determination to grant this permit is that we do feel that
14 the rules as set forth have been met.

15 MR. GERRISH: Thank you.

16 UNIDENTIFIED SPEAKER: I have a question regarding
17 your comment that the transcript of the hearing will be in
18 Chicago's office. Is there no place in the Metropolitan
19 Detroit area where a copy of that can be placed?

20 MR. NOVAK: There are, sir. Each library, the
21 Taylor Library and the Romulus Library, will be getting
22 copies. There are repositories.

23 UNIDENTIFIED SPEAKER: Those are the only two?

24 MR. NOVAK: Those two, and it's also in Chicago,
25 and it can be mailed.

1 Now, that's the last question we can take during
2 this portion of it, not to be rude, but it will be
3 available.

4 UNIDENTIFIED SPEAKER: It was a procedural
5 question.

6 MR. NOVAK: They are available in the two
7 libraries and in Chicago.

8 MR. GERRISH: But what Lisa meant is they will be
9 maintained in perpetuity in Chicago as part of the record.
10 What happens in the short term is another thing.

11 MS. PERENCHIO: If you would like to request a
12 copy, you can.

13 UNIDENTIFIED SPEAKER: I would just think that if
14 you had one at one of the major libraries in the
15 Metropolitan Detroit area, that that would be more
16 meaningful to those of us who are here.

17 MR. NOVAK: I don't have the name of that library,
18 but if I'm not mistaken, there is one major library, and
19 again, I apologize for not having that name in my head, but
20 there is a library in Detroit that does have this
21 information.

22 MR. GERRISH: Okay. And I'm going to make this,
23 very, you know, short and brief so we can have time for all
24 the questions you will have or all the comments.

25 Why injection wells are regulated.

1 It's for the protection of underground sources of
2 drinking water, which are called USDWs by us for short.

3 Because USDWs are between the injection zone and
4 the surface, indirectly injection wells are for the
5 protection -- excuse me -- regulation is for protection of
6 whatever is at the surface of the earth.

7 And where is the danger?

8 Wastes injected directly into underground sources
9 of drinking water can make the water unpalatable or
10 dangerous.

11 If there are no confining layers above injection
12 zones, waste may flow upward through the rock and into the
13 injection zones -- and into the USDWs.

14 If the confining layers are pierced by
15 transmissive fractures or open well bores near the injection
16 wells, waste can flow through those features to the surface.

17 If wells are not properly constructed and
18 maintained, wastes injected under pressure can flow into the
19 USDWs or to the surface.

20 If the pressure used to inject is high enough,
21 fractures can be created. Flow-through fractures can be
22 very rapid and difficult to predict.

23 Okay. All wells are not regulated equally. There
24 are classes of injection wells. Class I, which we're
25 dealing with here, are used to dispose of industrial wastes.

1 There are two types:

2 Class I for hazardous wastes and a class for
3 nonhazardous wastes.

4 Class II wells are used to dispose of naturally
5 occurring wastes related to oil and gas production and
6 transportation of raw products.

7 Class III is used to inject for solution mining.
8 This may involve creation of caverns or simply leaching
9 soluble salts from geological formations.

10 Class IV would inject hazardous wastes into
11 underground sources of drinking water. These are
12 prohibited, and there is no exception.

13 Class V -- technically all other injection wells
14 are Class V wells. They are often shallow and inject fairly
15 innocuous wastes directly into USDWs. Other Class V wells
16 are treated more like Class I wells.

17 We have a permitting program. The purpose of
18 permits is to set limits which will ensure that the
19 permitted activity is protective of human health and the
20 environment.

21 Permits for Class I hazardous waste injection
22 wells are the most stringent. They take both site geology
23 and waste constituents into account. Additional regulations
24 of hazardous waste injection wells were added to the program
25 in 1988.

1 Although Class II wastes may have hazardous
2 amounts of benzene and other constituents, they are exempt
3 from treatment as hazardous wastes. The Class II
4 regulations treat wells more generically than do the Class I
5 regulations because the margins of safety are considered to
6 be greater and primarily because the cost of treating oil
7 field wastes similarly to Class I hazardous wastes would put
8 an end to most oil production in this country.

9 Class III wells are permitted fairly similarly to
10 Class II wells.

11 Class V wells usually operate without permits.
12 Inventory information must be submitted to the primacy
13 agency. If the operation may cause endangerment, the agency
14 can regulate them by requiring a permit to operate.

15 And then there was the exemption program.

16 Land disposal, including injection of hazardous
17 wastes, is banned by the Hazardous & Solid Waste Amendments
18 through the RCRA.

19 An exemption from the ban will be granted if the
20 operator can demonstrate that the movement of waste can be
21 reliably predicted and predictions show that injected waste
22 would remain in the injection zone for 10,000 years. Tests
23 of the well construction must also show that the wells are
24 sound.

25 The demonstration requires objective information

1 and review. If the tests and demonstration of no migration
2 required by the regulations are successfully accomplished,
3 an exemption is given on that basis. If the EPA were to
4 take a subjective opinion into account when making its
5 decision, arbitrary decisions would result. Such decisions
6 cannot be defended under judicial review and would be
7 reversed.

8 Now, for the EDS demonstration, land ban
9 demonstrations use computer simulations to predict waste
10 movement.

11 Where there is uncertainty that measurements are
12 representative of the entire body of rock involved,
13 controlling factors for the demonstrations are made less
14 favorable than their measured values to ensure that movement
15 will not be so far as the predictions say.

16 A fact sheet which describes the basis of the
17 decision is available at two local libraries and on the
18 Region 5 Web site.

19 This fact sheet is rather long, and we don't like
20 printing more copies than are really needed. We have
21 brought 20 copies for distribution here. If you have access
22 to the Internet or if the Romulus or Taylor Libraries are
23 convenient for you, please leave the printed copies for
24 those who are not so fortunate.

25 We have permit conditions. Some operational

1 limits are necessary to ensure that the EDS demonstration is
2 a valid representation of the actual operation. The permit
3 will be modified or reissued to include these conditions.

4 They are:

5 No. 1, the permitted injection zone must be
6 comprised of the Precambrian, Mt. Simon, Eau Claire,
7 Franconia-Dresbach, Trempealeau, and Glenwood Formations
8 from 3,369 to 4,550 feet below the surface.

9 Injection shall occur only into that part of the
10 Franconia-Dresbach, Eau Claire, Mt. Simon, and Precambrian
11 Formations, which is more than 3,900 feet below the surface
12 and less than 4,550 feet below the surface. These are true
13 vertical depths.

14 The volume of wastes injected in any month -- this
15 is No. 3 as written. The volume of wastes injected in any
16 month through both wells at the site must not exceed
17 7,275,780 gallons. This volume will be calculated each
18 month. In fact, we've already gotten a comment from EDS
19 pointing out that this is not consistent with the
20 demonstration.

21 Therefore, the maximum injection rates will be
22 amended to allow the average rate to reflect the true
23 average for the life of the well. The average will be
24 calculated at the end of each month by dividing the total
25 volume injected through the whole life of the wells by the

1 total number of minutes since the first injection through
2 the wells.

3 No. 4, maximum concentrations of chemical
4 contaminants which are hazardous of less than one part in a
5 trillion shall have limits for maximum concentration at the
6 wellhead set through the permits.

7 No. 5, the injection pressure at the wellhead
8 shall be limited to fractured opening pressure at the casing
9 shoe. The fractured opening pressure while injecting waste
10 of the highest density to be allowed was determined to be
11 903 psi at the wellhead by tests constructed during the
12 drilling of No. 2-12.

13 The petitioner shall fully comply with all the
14 requirements set forth in Underground Injection Control
15 Permits No. MI-163-1W-C007 and No. MI-163-1W-C008 issued by
16 the EPA.

17 This exemption is only granted while the
18 underlying assumptions are valid. For instance, if the
19 injection rate at the SPL, the Sun Petroleum -- excuse me --
20 the Sun Pipeline facility exceeds 2000 gallons per minute
21 averaged for a period of a year, EDS must run a new
22 simulation to evaluate the effect.

23 The exemption will become invalid 20 years after
24 injection commences. EDS must halt operations at that time
25 unless Region 5 has approved a new, valid demonstration of

1 no migration from the injection.

2 And that's my statement.

3 MR. NOVAK: As you make your comments this
4 evening, if you would please step up to the microphones,
5 state your name, spelling your name, and then you will be
6 given three minutes.

7 Starting it off will be State Representative Ray
8 Basham.

9 (Clapping.)

10 SENATOR BASHAM: Ray Basham. I did get sworn into
11 the state senate today, so I am in the state senate.

12 (Clapping.)

13 SENATOR BASHAM: Also I might add that it was --
14 this issue, this EDS issue, was my No. 1 issue in the state
15 house and will continue to be my No. 1 issue in the state
16 senate, and my name is Raymond E. Basham. I'm a state
17 senator for the 8th Senate District.

18 I am staunchly opposed to allowing a commercial
19 hazardous waste well to operate in Michigan. I am committed
20 to doing everything that I can to ensure that one never
21 does. It is my preference that Michigan refrains from
22 engaging in this type of disposal and instead looks at waste
23 reduction recycling to manage our hazardous waste needs.

24 I might also point out that a lot of the
25 engineering folks will use the term "sound science," but

1 also when they talk about sound science, they also use the
2 terms "reasonably predicted" or "reliably predicted," and,
3 in fact, that means there is a risk, and those risks are
4 borne out by places like Winona, Texas, or Love Canal or
5 other places around the country.

6 So commercial hazardous waste disposal wells such
7 as the proposed EDS well pose many unique risks to our
8 environment, health, and general welfare that are simply not
9 worth taking.

10 The fact that there has been serious problems with
11 every commercial hazardous waste well that has ever operated
12 in our country should serve as clear evidence to that. And
13 furthermore, the location of EDS's commercial hazardous
14 waste disposal well in a heavily populated area, an urban
15 area, is simply ludicrous.

16 This facility is not needed. It will not serve
17 any public good. It will, however, provide a dumping site
18 for Canadian liquid waste, and it will most certainly result
19 in a negative impact on the quality of life for the people
20 in Romulus and throughout the Southeastern Michigan region.

21 (Clapping.)

22 I hope that's not eating into my time.

23 With regard to the land ban petition, I share the
24 widespread concerns with the close proximity of the EDS well
25 to the Sun Pipeline and its proposed brine disposal wells.

1 I think they should be considered. And obviously at the
2 last meeting, the EPA said that they could not coexist.

3 These companies are located approximately one half
4 mile from each other and are proposing to utilize the same
5 geological formation. The EPA has already acknowledged
6 again that EDS will surely migrate to the Sun Pipeline
7 creating serious complications and also an environmental
8 threat.

9 Furthermore, Sun Pipeline, a long-standing member
10 of our community, 50 years, I think, to be exact, believes
11 that the proposed EDS hazardous waste injection well will
12 cause damage to their existing subsurface resources.

13 In addition, Sun claims that the hazardous wastes
14 that will be disposed of and will subsequently migrate from
15 the EDS site also present serious concerns relative to the
16 health and safety of their workers and the surrounding
17 community as a whole.

18 I never believed the risks associated with this
19 type of hazardous waste disposal facility warranted
20 permitting before and the added concerns regarding Sun
21 Pipeline. I only feel stronger about those sentiments.

22 I do therefore strongly urge your denial of EDS's
23 petition for land ban exemption and would encourage you to
24 look at the site review board's recommendations relative to
25 these reviews. Thank you.

1 (Clapping.)

2 MR. NOVAK: Kathleen Law. Representative Law.

3 REPRESENTATIVE LAW: Good evening. I'm State
4 Representative Kathleen Law. I was sworn in today as a
5 member of the House, and I will stand here to say that I
6 will do everything in the House of Representatives to
7 support Senator Basham's work to stop and derail this EDS
8 hazardous waste well.

9 (Clapping.)

10 REPRESENTATIVE LAW: Question. How does a
11 permitting process continue when there is a court of appeals
12 decision that has not been finalized? I don't understand
13 why you continue with this process.

14 I would ask you -- because I know -- I'm a
15 research scientist by trade, and I know that when I'm
16 looking at political -- at decisions that are being made by
17 MDEQ as well as by the EPA, these are political decisions.
18 They're not based on sound science, and they're not based on
19 community health and welfare.

20 So what I would ask that the EPA to do at this
21 time is to hold off, slow down, and allow our new governor
22 and allow our new DEQ director, Steve Chester, to have an
23 opportunity to review and perhaps interact with you at the
24 state level, and I'll relinquish my three minutes.

25 Thank you.

1 (Clapping.)

2 MR. NOVAK: Alan Lambert, mayor, both for the
3 Cities of Taylor and Romulus.

4 MAYOR LAMBERT: Good evening. My name is Alan
5 Lambert. I'm the mayor of the city of Romulus.

6 (Clapping.)

7 MAYOR LAMBERT: Thank you. I was elected a little
8 bit over a year ago. Just in case there's any question at
9 all, I want to let people know I am adamantly opposed to
10 this well; I have been since Day 1. I do not think it's
11 right for the community; I don't think it's right for the
12 people here. It's just not fair.

13 I'm going to turn the floor over to our attorneys.
14 Thank you very much.

15 (Clapping.)

16 MR. SILVER: Thank you. My name is Neil Silver,
17 and I have with me Mark Jacobs. I'm N-e-i-l, S-i-l-v-e-r.

18 MR. JACOBS: And Mark Jacobs, I think you can
19 spell that.

20 MR. SILVER: We are here jointly on behalves of
21 the mayors of the city of Romulus and the city of Taylor,
22 and we wish to make the following public comment on behalf
23 of them and the entire communities.

24 We first believe that it is premature to grant the
25 land exemption. The EPA in its own notice of intent to

1 issue the exemption and in writing to the applicant in the
2 past has appropriately taken the position that the event
3 that Sun Pipeline obtains its extraction permit for brine,
4 the EPA will terminate any rights that EDS has to inject
5 waste.

6 Sun is currently in litigation with the state to
7 obtain the rights to extract the brine. When EDS is
8 permitted to inject hazardous waste in the same formation
9 and in such close proximity, the risk increases to Sun that
10 the flow of contamination towards their well or that the
11 brine will be contaminated unusable and therefore
12 irreparably harmed.

13 The cities of Taylor and Romulus also have a court
14 action pending in front of the court of appeals. The court
15 of appeals did not have to hear this appeal. They decided
16 to hear this appeal.

17 We believe that the application and on the basis
18 of our appeal, that the Part 111 application to construct
19 the well was illegally and improperly granted, we believe
20 that you should not allow the exemption to be granted until
21 such time it is clear and irreparably granted to EDS to
22 inject the waste. To allow them to do so before these
23 processes have been completed will irreparably harm us, the
24 community, and everyone as a whole.

25 Secondly, the EPA's granting the exemption under

1 the current proposal is legally and logically inconsistent
2 and unsupportive. As I previously stated, the EPA by
3 issuance of the exemption with a carve-out for Sun in the
4 event it refuses a permit rightly recognizes Sun to extract
5 brine if authorized to do so and acknowledges that EDS would
6 be precluded from injecting hazardous waste, yet at the same
7 time the EPA proposes to permit EDS to inject waste which
8 injection would preclude some from ever exercising those
9 rights in the future.

10 I ask you to specifically respond to that one in
11 writing.

12 Third, the applicant's own zone of influence
13 models and demonstrates that many, many communities will be
14 impacted by the exemption and will have lost their rights to
15 use this subservice resource and may materially impact their
16 investments and their property and perhaps increase the
17 community's public image.

18 Due to the destruction of this natural resource
19 and the other impacts that will absolutely result, it
20 appears that a national environmental policy effort should
21 be undertaken for this major federal action.

22 Finally, the granting of the exemption on the
23 basis of three or four little coring samples for this large
24 affluent area of influence, which literally covers several
25 square miles, is irresponsible.

1 Trying to determine the suitability of a
2 subsurface cavern 4,000 feet below surface with core samples
3 from three or four samples, inches in diameter, and drawing
4 conclusions for the entire formation for several miles
5 appear to be very risky in relation to the harm which may be
6 caused in the event that a fissure or connection exists with
7 other subsurface resources. The application should be
8 required to provide a representative core sample from the
9 entire zone of influence.

10 The risk to the community and to the environment
11 far outweigh the benefits to be gained by granting the
12 exemption on this limited data.

13 Again, we're very concerned with the granting of
14 this proposed exemption, and we request that until all of
15 the above concerns are adequately resolved, you should
16 postpone or deny the decision.

17 We also respectfully request to submit additional
18 written comments based upon the hearing and the information
19 tonight. Thank you.

20 MR. JACOBS: Which we will do.

21 (Clapping.)

22 MR. NOVAK: No. 3. No. 3, Ed McArdle.

23 MR. McARDLE: I have direct comments.

24 My name's Ed McArdle. I'm co-chair of the
25 Conservation Committee of the Southeast Michigan Group of

1 the CR Club (ph). We want to state that the Southeast
2 Michigan Group of the CR Club has been on record opposing
3 the EDS hazardous waste wells for many reasons which were
4 given during previous hearings over the past ten years.

5 Since the EPA will only consider technical
6 comments tonight, we will address those deficiencies that we
7 perceive as a land disposal exemption document.

8 The assumptions used in the document seem to rely
9 on hopeful speculation rather than fact. The statement that
10 I quote, fluent flow modeling is used extensively in the
11 petroleum industry, is not relevant for wells that could be
12 injecting over 500 different toxic chemicals. The dilution
13 of the chemicals may not make these chemicals less
14 dangerous, especially since they will be mixed into
15 potentially unknown compounds.

16 The noncompatibility of the waste streams are also
17 a concern. The flushing of water between waste streams may
18 not be enough. Perhaps some waste that is highly corrosive
19 or volatile should not be mixed or disposed or if so, a very
20 large time frame in between disposal.

21 We believe also that there should be more
22 safeguards to prevent wastes from being pushed into the
23 second well that may be idle. An annual radioactive test
24 and a five-year temperature test does not seem sufficient.

25 Now, we also have a complaint about the way the

1 public notice of this hearing was handled. The notice
2 stated that the details of this proposal can be found in
3 three local libraries. However, yesterday on January 7th, I
4 visited all three libraries in vain. After searching for a
5 considerable time at each library, they could not produce
6 the document.

7 Two of the libraries, Taylor and Romulus,
8 adamantly claimed they did not receive it. I have a note
9 from the Romulus librarian that they believe they did not
10 receive it. Although the proposal is available on the EPA
11 Web site, it wasn't where it should have been, if you tried
12 to access it from Region 5 home page. If you click on "fax
13 sheet," you get "page not available." Although, it was
14 available where it should not have been under the public
15 notice.

16 So thank you for the opportunity to comment.

17 (Clapping.)

18 MR. NOVAK: No. 4, Sunoco Logistics.

19 MS. GONZALES: Can I make just one observation?

20 If you do have a comment on the land ban petition that is
21 not -- that you feel is deficient, it's not technical, per
22 se, please feel free to make that comment. The last comment
23 suggested that we're just limited to quote, unquote
24 technical comments, but we are taking comments on the land
25 ban exemption. They may be legal comments. Thank you.

1 MR. KELLEY: My name is Michael Kelley,
2 M-i-c-h-a-e-l, K-e-l-l-e-y, and I am here on behalf of
3 Sunoco Partners Marketing & Terminals, LLP, formerly
4 referred to as Sun Pipeline.

5 Sunoco, which has existing operations in the area
6 of the proposed EDS facility, opposes the issuance of the
7 proposed land ban exemption by the EPA. Sunoco will be
8 submitting written comments before the January 22d deadline
9 stating the basis of its objections. Thank you.

10 (Clapping.)

11 MR. NOVAK: No. 6, Mary Beth Doyle.

12 MS. DOYLE: Hello. My name is Mary Beth Doyle.
13 That's D as in Delta o-y-l-e, and I'm here with the Ecology
14 Center representing our many thousands of members and
15 supporters throughout Michigan.

16 We strongly oppose this well for a number of
17 reasons. I'll talk a little bit about the technical reasons
18 though, and there will be written comments following from
19 our organization.

20 One major concern is this Ashtabula well. It's a
21 Class I hazard waste injection well that has been shown to
22 cause at least one earthquake, the 1987 earthquake, and
23 there are some scientists that seem to believe that the most
24 recent 2001 earthquake could also have been caused by the
25 injection well. That well was shut down in 1993.

1 It makes me wonder how can we know whether or not
2 when we put this well in and injected it into the same
3 substrata, the Mt. Simon sandstone, how can we be sure that
4 there aren't going to be faults. In fact, your very own
5 geologist expert told us tonight we cannot know whether or
6 not there are faults in the area of the zone of implements.

7 We can have reasonable certainty, but we have to
8 compare the risk to our reasonable certainty, and if this
9 waste should find an unknown fissure and cause earthquakes
10 or get into a drinking water source, we can't change our
11 minds. We can't fix this problem. It is underground, and
12 it's there, and we can no longer control it. So that's a
13 very important thing to consider.

14 I also agree that this is really premature to be
15 even considering the land ban exemption when there are legal
16 issues that yet need to be addressed. I won't go into
17 details about that because you just heard from some lawyers.

18 Like I said, written comments will follow, but I
19 also want you to hear this. The people of Michigan don't
20 want our state to become a dumping ground, not for trash,
21 not for hazardous waste.

22 (Clapping.)

23 MS. DOYLE: You're going to hear tonight from the
24 streets to the state house, from the city counsel members to
25 U.S. congress people. We don't want this waste. We don't

1 need this waste. You have ample reason to deny this land
2 ban exemption, and we certainly hope you do that.

3 (Clapping.)

4 MR. NOVAK: No. 7, Jim O-r-m-e.

5 MR. LEWKOWICZ: Oh, he left.

6 MR. NOVAK: No. 8, C. Priebe.

7 MR. PRIEBE: Good evening. Welcome to Michigan.
8 Let me say first of all --

9 MR. NOVAK: Your name, please.

10 MR. PRIEBE: I'm sorry. Cameron Priebe,
11 P-r-i-e-b-e. I had the dubious distinction and great
12 pleasure -- not quite an honest statement -- of serving on
13 the siting committee, the DEQ siting committee. We read
14 documents. We heard from the proponents; we heard from the
15 opponents. We heard from many of the people in this room
16 and hundreds of other on this topic for weeks.

17 We visited this site, we researched it a lot, and
18 we collectively agreed that this is not a good idea, and we
19 voted to reject siting this site at this location.

20 (Clapping.)

21 Whether or not you're aware, that siting committee
22 was just a recommending body, and the DEQ chose not to
23 listen to our recommendation, and I and most of the other
24 members think that perhaps the DEQ dismissed our
25 recommendation rather lightly, and we hope that you'll pay

1 better attention and look at some of the facts more
2 carefully.

3 My real job, my day job, if you will, is I work
4 for Wayne County. I'm the Director of Public Services, and
5 as part of a reorganization, which is currently under way in
6 Wayne County politics, as we just elected a new county
7 executive, in short order, I also be the director of the
8 Department of Environment.

9 We at the county strongly oppose siting of this
10 injection well at this location or for that matter anyplace
11 else in Wayne County. Bob Ficano, our new county executive
12 is very strongly opposed. The Wayne County Commission has
13 voted on at least two occasions unanimously -- and I stress
14 unanimously because that's a relative oddity -- to oppose
15 siting of this facility. It's a bad idea. It's the wrong
16 thing to do at the wrong place and the wrong time.

17 (Clapping.)

18 In Michigan there are numerous groups where cities
19 kind get together and partner to do good things and to
20 oppose bad things. One of those organizations is known as
21 the Downriver Community Conference. They voted unanimously
22 to oppose. Another one of those organizations in Romulus
23 that interestingly happens to belong to both is called the
24 Conference of Western Wayne. They too voted to oppose.

25 To the best of my knowledge, every elected

1 official, who, of course, represent the people under our
2 system of government, are in record of opposing siting this
3 facility at this location.

4 It's not just, however, the public sector that's
5 opposed. The Regional Chamber of Commerce is opposed. The
6 Regional Board of Realty is opposed. This is not a good
7 idea, and I think for the most part, everybody agrees that
8 it's not a good idea with the possible exception, of course,
9 of those who can make a profit in the process. There's
10 really no need.

11 Technology today, as I understand it, tells us
12 there's no need. This stuff can be recycled; this stuff can
13 be reused. We can reduce the waste, and that's what public
14 policy ought to require; that we reduce, reuse, and recycle.

15 (Clapping.)

16 MR. NOVAK: That's your time.

17 MR. PRIEBE: That's the time?

18 UNIDENTIFIED SPEAKER: He can have my three
19 minutes.

20 MR. NOVAK: No. 9.

21 MS. DALTON: Hi. Good afternoon. My name is
22 Cornelia Dalton, D as in dog, a-l-t-o-n, and you said, you
23 know, you wanted to hear regular comments and not technical
24 comments, so I'll give you a regular comment.

25 I'm a senior at Romulus Senior High School, and

1 this is my last year in high school. I should not have to
2 be worried about what kind of hazardous wastes will be
3 dumped in the backyard, and I should not have to worry about
4 if I'm going to -- if poison is going to be emitted into our
5 drinking water and into the air. The things that I should
6 be worried about this year is what I'm going to be wearing
7 to prom and who I'm going to prom with, not things like
8 this.

9 This is not something that you can fix if these
10 hazardous things leak into the ground. And it hurts me as a
11 senior and a 17-year-old to even see that adults can stand
12 here and let this continue and go on.

13 All these people here are saying no, don't do it.
14 So why would you even want to do it? No. No means no.
15 What do you have to understand of that? What don't you
16 understand? the N or the O? Don't do it. Let it be gone.

17 (Clapping).

18 MR. NOVAK: No. 9.

19 MR. MILLER: Charles Miller, M-i-l-l-e-r, Romulus
20 City Council.

21 It is with great dismay that I stand before this
22 body once again. To begin with, I offer no apology in
23 regards to my hostility toward the EPA and the DEQ, and I
24 would suspect that the majority of you will be very glad
25 when this process is over.

1 You see, very soon you will render your decision
2 that will set in motion the future of not only the city of
3 Romulus and its residents, but the many surrounding
4 communities. You will no longer have to look into the faces
5 of those whom your decision will affect. You can feel
6 confident and smug that the science you put so much faith in
7 will vindicate any and all such decisions.

8 Throughout this process the EPA and the DEQ have
9 stated that their interest lies only within the science of
10 this matter. And many smarter than I have presented the
11 facts to you in the course of this nine years that I've been
12 involved, and I certainly do indeed concede to that.

13 Instead tonight I choose to put forth the face of
14 those this misguided body has affected. Science did not
15 reward the citizens of Winona, Texas. The devastating
16 impact of this now closed facility has and shall continue to
17 wreak havoc upon the health and welfare of the innocent
18 people of Winona. These include childhood cancers, adult
19 cancers, birth defects, both in humans and in livestock.
20 They have risen alarmingly.

21 Since this pariah came to this once pleasant
22 bucolic town of Winona, Texas, science betrayed the citizens
23 who now live in the devastating wake of a failed technology.
24 Vickery, Ohio, another classic example of what happens when
25 science goes wrong. Toxic releases have become commonplace.

1 Toxic clouds of gases that inundated that community, the
2 impact which will be felt for generations to come,
3 contaminated aquifers and groundwaters washing downstream,
4 affecting both wildlife and humans alike. Science is
5 betraying the people of Vickery, Ohio.

6 Ladies and gentlemen, that same science is poised
7 to betray the citizens not only of Romulus but of
8 Southeastern Michigan. What I would ask of you who have
9 input on this decision is to ask yourself these questions.
10 Is this facility really needed? What political influences
11 in the state of Michigan gave rise to this project? Who are
12 all the parties involved? What impact would this facility
13 have on surrounding businesses?

14 Take into consideration that the city of Romulus
15 is already dealing with highly contaminated air because of
16 the pollution from tons of expelled hydrocarbons from jet
17 exhaust daily.

18 MR. NOVAK: Sir, your time is up.

19 MR. MILLER: Thank you, sir.

20 MR. NOVAK: If you would like to submit anything
21 further in writing, you're welcome to do so.

22 No. 11, Laurie Elbins.

23 MS. ELBINS: Hi. My name is Laurie K. Elbins.
24 I'm district representative for Congressman John Dingle, and
25 welcome to the 15th Congressional District. I have a

1 statement from the congressman to be read into the record,
2 and also we will be sending a letter with a few questions
3 before the end of the comment period to be answered.

4 While congress business prevents me from attending
5 tonight's meeting, I want the Environmental Protection
6 Agency to know that I remain firmly opposed to this
7 potentially dangerous proposal.

8 Not only are the people of Romulus and Taylor
9 adamantly against this injection well, which turns their
10 backyards into hazardous waste storage sites, but nearly
11 every community group also opposes it. This includes the
12 Downriver Community Conference, the Downriver Board of
13 Realtors, and the Southern Wayne County Chamber of Commerce.

14 Moreover, the merits of this proposal are
15 questionable and the process flawed. Today I have not heard
16 a credible answer as to how the public's safety will be
17 guaranteed. In fact, the process used throughout this
18 project and with other important environmental issues in
19 Michigan has been so blemished that my fellow residents and
20 I find it hard to believe that neither Michigan's Department
21 of Environmental Quality or the EPA actually have our best
22 interests in safety at heart.

23 (Clapping.)

24 Needless to say, the most important issue here is
25 public safety. I am not convinced, nor are the citizens of

1 Romulus and Taylor, that public safety is being protected.
2 According to EDS and EPA, hazardous wastes will be injected
3 in a reservoir that lies beneath porous rock; that is, rock
4 that contains lots of tiny holes.

5 Additionally, EDS has stated that the waste will
6 probably travel sideways. This statement leaves open the
7 possibility that hazardous materials will travel almost
8 anywhere, including into the drinking water supply.

9 Furthermore, it is credible that we act with
10 extreme caution given the well's proximity to the Great
11 Lakes' watershed. Leakage of even a small amount of
12 hazardous liquid waste could place our entire ecosystem at
13 great risk.

14 How can the citizens of Michigan trust the EPA to
15 do what is in their best interest? Indeed they have allowed
16 Canada to continue using Michigan as a massive dump for
17 Canada's trash despite an agreement signed by both countries
18 in 1992. EPA has been asked to enforce an agreement that
19 could put a stop to millions of tons of Canada's garbage.
20 Thus far, they have declined to do so.

21 Why should the citizens of Michigan trust EPA to
22 put a stop to these hazardous waste wells, which could have
23 a detrimental effect on the health and well being of those
24 living near the wells.

25 The people of Downriver feel strongly that our --

1 that under Governor John Engler, the MDEQ's process was so
2 flawed and motivated by greed and politics that it was
3 discredited from the beginning.

4 (Clapping.)

5 Indeed, in March 2000, the MDEQ Site Review Board
6 voted 5:3 to recommend that then Director Russ Harding deny
7 EDS Part 111 permit. A year later Mr. Russ Harding
8 disregarded that recommendation of his own site review board
9 and issued the permit anyway.

10 Tonight I call on the new and no doubt improved
11 DEQ to reconsider the previous decision and follow the
12 recommendation of the original site review board.

13 MR. NOVAK: Ma'am, your time is up.

14 MS. ELBINS: I have one more paragraph from the
15 congressman.

16 In short, this approval process has raised serious
17 questions about integrity and public safety. Significant
18 questions about environmental repercussions have not yet
19 been answered.

20 Accordingly, I remain adamantly opposed to this
21 reckless and quite possibly harmful proposal that has been
22 forced on the citizens of Romulus and Taylor, and I strongly
23 urge the EPA to do what is right for Michigan and deny this
24 proposed land ban exemption.

25 MR. NOVAK: No. 12, RJ Thomas.

1 MR. THOMAS: Yeah. My name is RJ Thomas. That's
2 all -- I was going to get up here and say a lot of smart
3 things. Boy, everybody is smart-talking today. The
4 smartest thing is like the lady just said. Get busy, EPA;
5 not get rid of it.

6 EDS is smart. They scheduled this program for now
7 trying to sneak something in. Okay. Now getting down
8 serious, I want to thank Ray Basham, which I've known for
9 years.

10 (Clapping.)

11 MR. THOMAS: And Priebe, same thing. And Ronald
12 McDowell (ph), he's got a kid at Catholic Central, right
13 with my grandson.

14 Okay. So I'll get serious about myself. I'm 76.
15 I'm running out of tricks. I just want to lie on the couch
16 and watch TV.

17 War and everything, who in the hell wants another
18 war. Not me. My wife says, why are there always wars.
19 Well, my father come from England, Canadian Army; he lost an
20 eye. I got drafted out of Holy Redeemer High School in '44,
21 two years. I'm not saying I'm a hero or anything, but this
22 is what happened then.

23 Being so dumb, I signed in the Reserves, a year in
24 Korea. So I don't want to be -- you know, I'm optimistic,
25 but this well, my wife says, do we have to go to another

1 meeting? After I talk, we'll probably be out of here
2 because she's 78, and she wants to go home. But
3 everything's copesettic. It's a big word I learned.

4 Oh, getting back to the democrats, Ray and his
5 buddies, when I first joined RECAP, we had big meetings.
6 You know, RECAP is still going, but it's more silent. And
7 we had some republicans come in there and help us a little
8 bit; not many, not much.

9 Okay. Oh. I would like to have the thoroughbred
10 racetrack. I'm going to be a jockey. Thank you. I didn't
11 think I would get any laughs. Thanks a lot.

12 (Clapping.)

13 MR. NOVAK: No. 13, Michael Reid.

14 MR. REID: Good evening, ladies and gentlemen. My
15 name is Michael Reid, R-e-i-d. I'm a third generation
16 Polish-American, first generation French Canadian.

17 My father came from Canada. He's really upset
18 because his country of his birth gets slammed a lot, but if
19 you seen their waste laws over there versus ours, I swear,
20 sometimes I wish we were in Canada.

21 Okay. Samples of rock drilling. You have my
22 name; you have my address. I would like samples of the rock
23 drilling and a list of all the chemicals that will be
24 injected. Also, this is something that's never been
25 addressed. We want to know which -- we, the people, from

1 one end of this country to the other want to know the names
2 of these companies that are going to be coming into this
3 injection well.

4 I mean me personally, I'm tired of banging my head
5 against the wall, but I'm hard-headed. So, you know, this
6 is what I want. I want a sample of those rock drillings
7 like what you've got there. I want a sample of the waste.
8 You know, I want to know the names of every one of these
9 wastes that are going to be hauled in and who are we getting
10 this waste from; in other words, each company that wants to
11 put waste in here.

12 Also, are the ground formations on one side of
13 this state the same as on the other side of the state? No.
14 The state is very different. And what companies are going
15 to be hauling this waste? I mean I can sit out here on 94
16 every day, and I can tell you, oh, here comes Logistics.
17 Those are Toronto's. Nice, big enclosed waste haulers.
18 Toronto, Toronto, Toronto. All I ever see is out of Canada.

19 I am getting tired of one country using us for a
20 dumping ground. I mean when are we going to be able to
21 transport our stuff over there. The only thing we export
22 out of this country is our money into the casinos.

23 I mean, excuse me, I like going over to Canada
24 because at least I can drive over there and I don't have to
25 smell the waste and everything. But I don't want them

1 bringing it over here. I've talked with friends and family
2 in Canada. They don't even -- I mean over there, you've got
3 to identify everything before you can do it. And when
4 somebody asks a question over there, it's answered. That's
5 all I'm asking is answer these questions.

6 A sample of the rock drilling, listing all the
7 wastes that are going to be injected in the present and in
8 the future, and which companies are going to be contributing
9 to what we don't want. But it seems like anymore, here in
10 Southeastern Michigan what the people don't want still gets
11 done, no matter how many public hearings, how much of this,
12 and how much of that.

13 I thank you for having us, but, you know, show us
14 that you've got some backbone, some hutzpah, and some
15 cojones because it's, you know, conscience.

16 MR. NOVAK: No. 14.

17 MR. BENDZICK: Good evening. I'm John H.
18 Bendzick, and I reside in the city of Dearborn, Michigan. I
19 have attended all the hearings.

20 MR. NOVAK: Spell your name, please.

21 MR. BENDZICK: B-e-n-d-z-i-c-k, good old German
22 name. I have resided and I've been a member of the Grindley
23 Park Neighborhood Association for the last 25 years. I've
24 been its president, former president, active member in the
25 16th Congressional District, which is now the 15th

1 Congressional District.

2 Our association represents 1,300 homes, 9,000
3 residents. On your map, we're at the area of Michigan
4 Avenue at U.S. 12 and east of Telegraph Road, which is
5 U.S. 24 for you people, and I see the impacted area.

6 First of all, to make a statement related to EDS
7 out of Birmingham, Michigan, to the land exemption, the
8 injection well commercial hazardous waste proposal or
9 disposal and proposal, I cannot sell this project in the
10 city of Dearborn to anyone. This is in lieu of the
11 chemistry and the physics.

12 I have spoken with you people. I have peddled it
13 to the teachers, the educators, environmentalists, and the
14 area where I live in the city of Dearborn, and I cannot
15 sell, I cannot peddle, I cannot get any approval of this
16 project whatsoever under any circumstances. They are just
17 thoroughly against it.

18 I understand the situation with Ontario and the ED
19 testing of the samples prior to arriving to Michigan, and a
20 huge, strong reservation we have in the process in the
21 system between -- from the Canada location to the American
22 location. And by the way, all these tanker trucks arriving,
23 from my assemblance of material, must arrive into America by
24 way of the Bluewater Bridge area, which is Sarnia, Ontario,
25 in Port Huron, Michigan, and will be traveling down the I-94

1 corridor, which is the same corridor that comes through
2 Romulus and Taylor, Michigan, and the rest of it's relative.

3 I need to know or would like to know the
4 possibility of the standard class points of your materials,
5 the toxics, and the acid rain of your materials and the
6 sample materials sent to your either Chicago lab or pending
7 new Romulus lab or Taylor lab prior to transportation, and
8 who is going to do the matching of the laboratory samples to
9 the just arrived tankers prior/before aboveground storage
10 and/or before the injection well process occurs.

11 I understand your five-year revival or review of
12 this process, 20-year-life limitation of the usage of this
13 well under Class I industrial waste processing or
14 classification, but even with all of the geology, I
15 understand, with the sandstone operation of 4,000 feet
16 occurrence and everything else, personally myself, I have
17 not been sold on this process. I thank you very much.

18 MR. NOVAK: No. 15, Alfred Brock.

19 MR. BROCK: My name is Alfred Brock, A-l-f-r-e-d,
20 B-r-o-c-k. I have three minutes to speak. I thank God for
21 this time to voice my concerns, and I pray that the words
22 that I speak will do some good in this sorrowful world and
23 help to correct the situation at hand.

24 I also state that I have provided an extensive
25 report as part of the additional comment period in writing,

1 and I expect an expert and scientific response to it, unlike
2 the responses I have received to my two previous
3 submissions.

4 First, I bring your attention to this document in
5 my hand. It's a Carol Wright Gift Catalog. The catalog
6 tells us about an amazing bracelet called the Q-Ray ionized
7 bracelet. It will balance your body's Yin-Yang. It will
8 help provide energy, strength, flexibility, and endurance,
9 all for \$49.95.

10 Now I'm holding a sheet I printed from the Neiman
11 Marcus Catalog on the Internet. It shows us a birthstone
12 bracelet. It's in the same shape and form as the Q-Ray
13 bracelet. It's for your child. It comes with the child's
14 birthstone implanted upon it. It sells for \$250 apiece.
15 The bracelet in form is not, in fact, an oriental invention
16 but comes to us from the ancient Celtic symbol of strength
17 called a torc.

18 The advertising that I've shown you then, both for
19 the laymen in the form of the Q-Ray bracelet and for the
20 supposed sophisticated audience in the form of the
21 birthstone bracelet are both lies and misrepresent the truth
22 to both audiences while appealing to them with sound truth.

23 This brings us to the items prepared for us by the
24 Environmental Protection Agency. There is a fact sheet for
25 the laymen and an official report for those looking to see

1 where they got their facts for their fact sheet.

2 The fact sheet in this case can take the place of
3 the Q-Ray bracelet, and the official report can play the
4 part of the expensive birthstone bracelet. Both the fact
5 sheet and the official report are a little more than
6 disguised advertisements, ringing with falsehoods from the
7 ground up and doing a little more than trying to get to our
8 money.

9 As to the fact sheet, the word "fact" is of few
10 meanings. There is an archaic meaning of the word that is
11 commonly being put into use by our political officers, and
12 that meaning is something that is alleged to be or might be
13 such as wasting the money of the taxpayers and retirement
14 funds for the benefit of a few bad businessmen is a good
15 thing. That is the archaic use of the word.

16 The meaning of the word "fact" that should be used
17 when we are talking about the health of our children and our
18 nation is the modern meaning, which is something that has
19 really occurred, which is the case.

20 An example of that is the sinking of this well in
21 Romulus is a bad thing, as it has become perfectly obvious
22 that Christi Whitman, by direction of the White House,
23 intends that the EPA will not carry out this mandate to
24 protect the health and well-being of the people of the
25 United States.

1 I do not recognize the authority of the EPA in
2 this matter at this time in this place. I call upon all of
3 my fellow citizens to call upon their elected officials to
4 have the EPA withdrawn from this case in disgrace.

5 I also call upon my fellow citizens to call for
6 the dismissal of the Department of Environmental Quality. I
7 do not recognize their authority in this matter at this time
8 in this place.

9 Mr. Gerrish should be embarrassed, but he must be
10 afraid of losing his job, which is why he created such a
11 travesty of science on behalf of EDS and the leaderless DEQ.
12 After all, they paid for it.

13 As for the Police & Firefighters' Fund, you are
14 out \$10 million.

15 In the future, it would be to your best interest
16 to keep an eye on the people who have been taking your money
17 and what they do with it.

18 In closing, that well will not operate. As for
19 the people that are running this meeting, I say to you, go
20 to Lansing and Washington and tell them that the correction
21 has begun. We will not allow you to destroy our families
22 and steal our homes from us. We want our jobs, our homes,
23 and our way of life. You will not drive us from here. We
24 will not have this well. Thank you.

25 (Clapping).

1 MR. NOVAK: No. 16.

2 MS. ROMAK: My name is Debbie Romak. That's
3 spelled R-o-m-a-k. I'm a Romulus city council member, and
4 along with thousands -- and believe this, there are
5 thousands -- of others, once again, respectfully respect the
6 EPA to protect the public's best interests and deny EDS
7 their land ban permit, which would allow 591 types of
8 hazardous wastes, including heavy metals such as mercury,
9 chromium, nickel, as well as solvents and acids. It is time
10 and long overdue.

11 Mr. Gerrish, could you wake up, please? Thank
12 you.

13 It is time for the EPA to step up to the plate and
14 look beyond the technicals. It was your suggestion -- I
15 hope you mean this -- to reach for the human factors, taking
16 a closer look at how the issuance of this EPA permit will
17 affect our quality of life, our health and safety as we know
18 it today.

19 With certainty our community will become another
20 victim of the injustice the EPA displays repeatedly and
21 chooses to ignore by refusing to address us, the people, as
22 part of the process.

23 A Title 6 complaint investigated and denied
24 because it was not done in a certain time frame. The fact
25 remains, the environmental injustice did happen and it still

1 exists, yet the EPA dismissed it because of the time factor.

2 Because of the continued actions of the EPA, with
3 regret I am here to once again inform you you are the root
4 of every environmental injustice that has ever occurred.
5 The people deserve and demand more from their governmental
6 agency. When do we the people become part of the process
7 over science and technicals you proudly discuss, accompanied
8 by false securities and assurances and unheard of
9 guarantees.

10 The technicals you published in your EPA full fact
11 sheet we challenge. From paragraph to paragraph, statements
12 differ from line to line. Supposedly EDS demonstrates the
13 waste will stay confined 3/4 of a mile underground for at
14 least 10,000 years. So the EPA intends to issue the
15 exemption for the two wells. We're just going through the
16 motions here. Let's not pretend like you're really
17 listening.

18 The next paragraph states geologists, who are
19 scientists who study the earth, say waste will travel
20 sideways from the well bottom about 4-1/2 miles in all
21 directions, meaning chemicals can and will move as much as
22 10 miles sideways from the well in the south/southeastern
23 direction.

24 So what is it? Is the migration going to be 3/4
25 of a mile or 4-1/2, or doesn't anybody know?

1 THE AUDIENCE: Nobody knows.

2 MS. ROMAK: Exactly.

3 Plume dimensions and displacement maps submitted
4 by EDS indicates not only will Romulus and Taylor be
5 affected -- don't even think about punching your clock,
6 buddy, I'll tell you that, because it's going to take more
7 than that.

8 (Clapping.)

9 They indicate that not only Romulus and Taylor
10 will be affected, but Woodhaven, Wayne, Westland, and
11 Inkster. Only some will bear more or less of --

12 MR. NOVAK: Ma'am, that is your time.

13 MS. ROMAK: That's too bad. Get the hell out of
14 here.

15 What I find most interesting in your full EPA fact
16 leak sheet that you clearly state that if the DEQ issues Sun
17 Pipeline an extraction well permit to extract brine, which
18 according to the DEQ, salt, a Michigan resource, under the
19 MEPA Statute should be protected, and the mission of the
20 Michigan DEQ is to drive improvement and environmental
21 quality for the protection of public health and the natural
22 resources to benefit current and future generations.

23 The EPA will supposedly end the EDS exemption.

24 Now, I know what I'm about to suggest is not technical but
25 would be considered logical. Why doesn't the EPA put EDS's

1 exemption on hold until Sun Pipeline and the cities of
2 Romulus's and Taylor's appeals have been heard and a
3 decision rendered.

4 On behalf of the citizens, for once, for once, do
5 something in the public's best interest. Deny or hold the
6 exemption until all appeals have been exhausted so that
7 justice may be served if not by you, EPA, but a court of
8 law.

9 Thank you.

10 (Clapping.)

11 MR. NOVAK: No. 17 or 18.

12 MS. WHITTICO: I'm No. 17. My name is Cindy
13 Whittico, and I will be less than three minutes, and so
14 Debbie was doing fine.

15 MR. NOVAK: Spell your name, please.

16 MS. WHITTICO: Whittico would be W-h-i-t-t-i-c-o.
17 My concern is the future as is all of ours.

18 I believe that somewhere in the future my
19 children's children will be sitting around the table with
20 wine, not water because we can't drink it. They will be
21 buying all bottled water. They will have jugs on the
22 counters. This is not fair that we have to think these
23 sorts of things.

24 I believe that there is no way that if there's one
25 single doubt that this should be allowed. Any small

1 trillionth of a doubt means it could happen. We live here.
2 Generations will live here after us. This is the world's
3 freshest water we're tampering with. We have a lot of it.
4 It should no be put at any risk whatsoever. Thank you.

5 (Clapping.)

6 MR. NOVAK: No. 18.

7 UNIDENTIFIED SPEAKER: How much will it cost for
8 our life? Give us a price of what you've been paying, and
9 we're going to take up a collection and we're going to match
10 it. What's your price for your corruption? Give us the
11 amount, and we'll match it. Then the problem's over, isn't
12 it?

13 MR. NOVAK: No. 18?

14 Ms. FRAZIER: Hi. My name's Rita Frazier, spelled
15 F-r-a-z-i-e-r. I'm not a science major or a genius, but I
16 am an intelligent person.

17 There are a lot of people here that are saying no,
18 and that's all we want is to be heard. When my children --
19 which I have three. One of them is right there. When they
20 were little, I would cup their hands and say no. Eventually
21 they learned what no meant, which all of us have went
22 through that stage. We need to know what that means.

23 And what we're saying is we don't want it. I live
24 here. I pay taxes here. I want my children to be able to
25 say this is where we were born; this is where we want to

1 stay. I don't want to have to sell my house in two or three
2 years because of all the things that's going on and not be
3 able to get my 125,000 for it.

4 I want to be able to say that I can stay here with
5 no quarrel or no problems of what's going on in the air. I
6 don't want to have to move to another state or move
7 somewhere else because I need to protect my children. This
8 is something that the people are saying no to. And that's
9 all we want you guys to hear is no. There's nothing else to
10 say about it.

11 How many times do you have to hear no? How many
12 times do people have to say no for you guys to understand or
13 get that that's what we don't want? How many millions of
14 dollars do people have to spend for you guys to understand
15 no?

16 As a child they learn it. You guys are grown.
17 We're adults here. We understand no. Why you guys don't
18 understand no?

19 (Clapping.)

20 MR. NOVAK: No. 19.

21 MS. NICASTRO: My name is Nancy Nicastro,
22 N-i-c-a-s-t-r-o. I live in the city of Taylor. I'd like to
23 read my statement.

24 Our government assures us that through legal means
25 we can show opposition through petitions, picketing, and

1 peaceful demonstrations. Well, we have signed those
2 petitions; we have picketed; we have demonstrated. Still
3 EDS moves on.

4 We've been told our rights as citizens by the U.S.
5 Constitution is the pursuit to life, liberty, and happiness.
6 This well jeopardize our lives. We can't be happy knowing
7 that it's here. You claim your well is safe. That may be
8 so, but you don't live here in our backyards. Our concern
9 not only is with the well but the trucks and the trains that
10 will transport the hazardous wastes to the facility. They
11 pass our schools, our hospitals, our senior citizen
12 complexes, and our homes. The bible teaches us that we
13 should love our neighbors as ourselves.

14 Let me ask you this. Who are we? We are your
15 neighbors. You know we are opposed to this well, that we
16 have proved that there is no need for it. What if you lived
17 here? Would you be for this well?

18 One more thought. If you were to die tomorrow,
19 how would you answer God when he asks, did you love your
20 neighbor as yourself? Will you tell him or will he tell
21 you, remember Winona, Texas? And when you stammer to answer
22 him, I hope for your sake he doesn't say, I'm sorry; your
23 three minutes are up.

24 (Clapping.)

25 MR. NOVAK: No. 21. No. 21, RP Lilly?

1 MR. LILLY: Good evening, ladies and gentlemen.
2 My name is RP Lilly. I live at 17220 Hannan in the
3 beautiful township of Huron, and I promise I'll be brief; I
4 will not take over 30, 40 minutes.

5 Pardon my language. I don't mean to make a strong
6 statement, and I really hope I can get through with this
7 without putting Mr. Gerrish, my friend, to sleep, but I just
8 have one question.

9 What in the hell are we doing here? I mean,
10 really, why are we here?

11 (Clapping.)

12 MR. LILLY: What are we here for tonight? It
13 seems to me -- and this is my observation. You folks have
14 done everything within your power to fast-track this
15 injection well process, you really have. And the state,
16 DEQ, they did your job too. They fast-tracked it too,
17 courtesy of Mr. Russell Harding. And he scrambled, up until
18 the very last day, up until December 31st, trying to get
19 these folks their operating permit.

20 So you guys have fast-tracked this thing from
21 Day 1, and you seem like you're hell-bent on getting this
22 injection well process going, and as so many people have
23 said to you tonight, why can't you use a little common
24 sense?

25 Is it any wonder that most of the people in this

1 room don't trust you? Did you ever wonder about that? Did
2 you ever wonder, why don't these people believe in anything
3 we say? Because they pay our salaries. We do. I pay your
4 salary. My taxes. We pay every one of your salaries. You
5 guys work for us, and we don't believe a damn thing you say.
6 And do you ever wonder why?

7 You haven't acted on behalf of the people. You're
8 acting on behalf of these companies. EDS. And like the
9 lady said, Debbie Romak, who made such an eloquent
10 statement: Do something for the people for once. Try to
11 get a little bit of your -- you know, you talk about
12 consumer confidence. George W says, we're in trouble
13 because we don't have any consumer confidence. Well, guess
14 what? There's no EPA confidence either.

15 You guys know damn well that -- Mr. Skinner, your
16 director of Region V, stood in this very hotel and said EDS
17 proceeds at their own risk if they want to fast-track this
18 process because guess what? If Sun gets their permit,
19 they're out of business; they're all done. And he said
20 that. And he told them, proceed at your own risk, but they
21 kept right on going. They're over there operating without
22 any electricity. Everyone's fast-tracked from Day 1,
23 fast-track, fast-track, fast-track.

24 There's nothing in the law that says that you
25 people can't put this on the back burner and wait. And I'm

1 saying to you, use some common sense.

2 Harlan, come on. Don't go to sleep. Use some
3 common sense and listen to what these people are saying.

4 Have you ever heard of NOx? It's a -- I'm sure
5 Mr. Gerrish knows about it. I wanted to make some copies of
6 this.

7 MR. NOVAK: Sir, that's your time.

8 MR. LILLY: I'm going to finish, pal.

9 I am going to pass this around. This came from
10 Vickery, Ohio, and this is a big red -- well, it's commonly
11 referred to -- I won't tell you what it's referred to --
12 I've been told not to -- but it's a big red cloud that
13 appeared over in Vickery, Ohio, a month or so ago, and I'm
14 sure Mr. Gerrish knows about it. It was an NOx release.
15 It's very, very irritable. It will peel the paint right off
16 of a car. It's very harmful to the body, very harmful to
17 the lungs, very harmful to the eyes, and I'm going to pass
18 this around and let everybody look at it. It's a big orange
19 cloud of NOx that's over Vickery, Ohio, one of the safest
20 injection wells in the country, according to these people.

21 And I'm telling you folks, if NOx can happen in
22 Vickery, it can happen in Romulus. So I'm saying to you
23 people up there, use a little common sense, all right, and
24 listen to what these people are telling you. Put this damn
25 thing on the back burner and wait until justice prevails.

1 Thanks.

2 Pass this around.

3 (Clapping.)

4 MR. NOVAK: No. 22, Lori Johnson.

5 MS. JOHNSON: Hi. My name is Lori Johnson,

6 J-o-h-n-s-o-n. And I wasn't going to speak today, but I

7 came across this article, and I have so many concerns.

8 In the last ten years I've been coming to these

9 meetings, we've been telling you over and over. We had a

10 site review board. Everybody just disregards it, okay? And

11 I grew it in the house my dad built in Romulus, and now I

12 have a five-year-old son. I don't want to move, okay? I

13 grew up on the Detroit River, and I know how polluted it is

14 from PCBs from Ford Motor Company and the Rouge plant, and

15 somebody allowed them to do it, and you stand up here and

16 look at me, and you're showing me these graphs on these

17 tests that are -- you're telling me it's water and they test

18 it every five years.

19 We'd be happy to have a water well in Michigan

20 right here in Romulus or a brine well, we have no problem

21 with that, but when you can't tell us that acid is not going

22 to -- the gases won't build up and get out or they're

23 storing it so they can inject it and then, you know, maybe

24 there's an explosion, what's going to happen?

25 The airport's right there, a million people going

1 by, trucks full of acid going up and down 94. Every day you
2 read about Canada's trash coming here, and then you see an
3 article like this: State's Deal With Dow May Fail.
4 Michigan has a 91-parts-per-trillion number of -- let me see
5 where this is. The 831 number is what they wanted to offer
6 for dioxins. They had to be sued. The DEQ had to be sued
7 to overturn that.

8 It says: Cybos (ph) says Friday's change came
9 after considering public comment as well as advice from the
10 Michigan Attorney General's Office that the deal was
11 illegal.

12 Big surprise. This has been going on for ten
13 years. How much longer do we have to do this? Do we really
14 have to accept this? We have the airport pollution, you
15 know. We put up with our share, okay? We have noise
16 pollution. I want to raise my son where I grew up, in my
17 father's house. Is that so wrong? Do we have to contribute
18 to more Great Lakes pollution? It could end up here. I
19 don't care what you say. You're up there showing me water
20 charts.

21 That's all I have to say. Thank you.

22 (Clapping.)

23 MR. NOVAK: No. 23, Mark Chase.

24 Mr. CHASE: Hi. My name is Mark Chase, and I am a
25 former 21-year resident of the city of Romulus. I came back

1 here today for the opportunity to speak at this important
2 meeting, but, you know, it's awfully frustrating. I've
3 spoken many times over the last ten years plus to both the
4 DEQ and the EPA, and while I will not give up my First
5 Amendment Right, it is so frustrating to stand up here and
6 you think your words are falling on deaf ears.

7 And I have the same question that my good friend
8 Percy just said: Why are we here today? I simply don't
9 understand it. Over the last ten years plus that I've been
10 coming to these meetings, both the EPA and the DEQ
11 constantly are putting the cart before the horse. It simply
12 doesn't make any sense. Then it hit me. You people have
13 got your minds made up before you come to these meetings.
14 There can be no other explanation. Fast track; my mind is
15 made up; let's go through the process; let's go down
16 there -- it used to be five minutes; now it's three -- and
17 listen to what the people have to say, and we'll make a
18 decision based on some computer readout, did I hear you say
19 earlier?

20 Now, I realize that people have a right to start a
21 business and apply for the requisite permits. I have
22 absolutely no problem with that, even if it's a mom and
23 pop's pizza or mom and dad's pizza or this well. They have
24 a right to go through the process. My problem is it has
25 been obvious to me that there has been adequate evidence

1 given to this EPA and to the state not to allow this well,
2 and yet here we are again here today. I simply don't think
3 that the DEQ nor the EPA has given -- has addressed
4 adequately the huge amount of risk to this community should
5 this well go in into Southeast Michigan.

6 Now, you're about to make a final frontal decision
7 based on what you call this computer study or readout I
8 mentioned. The fact of the matter is they don't know how
9 far it's going to migrate, you don't know how far it's going
10 to migrate, what direction, and you're about to take the
11 word of a company that in my opinion and opinion -- and the
12 opinion of many -- and I've been in this for over ten
13 years -- is morally bankrupt.

14 I'm asking you for once to have the guts to say
15 no, not just because we say no; we don't want it. I
16 understand there's a process and people have legal rights,
17 but based on the evidence you've been given before tonight,
18 at a minimum take a step back and wait for the appellate
19 process and the state process to exhaust itself.

20 This is the land of the Great Lakes, not the great
21 waste. We want to keep it that way.

22 (Clapping.)

23 MR. NOVAK: No. 24, Jimmy Long. 24, Jimmy Long.
24 25, Mary Collins -- or 26, Mary Collins.

25 MR. GIBSON: Excuse me. I've got No. 25 right

1 here.

2 MR. NOVAK: Okay. It's out of order. I

3 apologize.

4 MR. GIBSON: Hi. Tony Gibson, G-i-b-s-o-n, Van
5 Buren -- I'm sorry. Environmental Commissioner, Van Buren
6 Township, Michigan, here tonight to once again go on record
7 opposing this project. We went on record many times. At
8 our last environmental commission meeting, we had a very
9 lengthy discussion about this deep injection well. We're
10 not Romulus. We're Van Buren Township, but it concerns us
11 too. Romulus is our neighbor. We all need to support each
12 other, and at this time, I'd like to present you with our
13 resolution opposing this project. Thank you.

14 (Clapping.)

15 MR. NOVAK: 26.

16 MS. COLLINS: Good evening. My name is Mary
17 Collins, C-o-l-l-i-n-s. Tonight on my way -- drive over
18 here, I figured out how long I have been involved in this
19 stinking project. 13-1/2 years. 13-1/2 years. The first
20 time I ever heard of this project, I said, no. 13-1/2 years
21 later, 13-1/2 years older than I was, much grayer than I was
22 when I started out, and I still have the same dammed answer.
23 No. No.

24 I have nothing technical to offer. You hear --
25 you have heard from -- you must have reams and reams of

1 technical information that has been given to you. The
2 community of Romulus has spent over a million dollars and
3 probably much more than that now, but I know we have spent
4 well over a million dollars in legal fees trying to get this
5 thing resolved and not in our community.

6 We could have built a recreation center with that
7 money. We could have made life better for our seniors with
8 that money. We could have improved our infrastructure with
9 that money. We could have done very, very many good things
10 with the money that one community has spent to get the
11 federal government and the state government to realize that
12 the people of this area do not want this well.

13 There is no reason for it. I am not a technical
14 person. I am not a scientist. I have none of those
15 qualifications. And I can tell you that what I have learned
16 in my own elementary way is that there is no reason for this
17 dammed well. If there was a reason for it, I could sit back
18 and I could give the people -- they have a right to their
19 legal -- to do business, but if the business isn't viable,
20 then it isn't -- go do something else. Sell pizzas. Sell
21 tires. Do something that, you know, is constructive for the
22 community. This is not constructive.

23 You have an airport. Last year -- the airport ran
24 47 million people through the airport last year. If there
25 was a major catastrophe at this well location, how in God's

1 name would you evacuate an airport that shovels 47 million
2 people a year through it?

3 MR. NOVAK: Ma'am, time.

4 MS. COLLINS: I don't care. And I realize what
5 you said, but it has gotten to a point with the people,
6 where, yeah, we're rebellish, you'd better believe it, but
7 that's what this country was founded on in the first place,
8 and if you people will not listen in the time that we -- you
9 give us, then we have to take the time away from you to tell
10 you how strongly we feel about this.

11 (Clapping.)

12 MS. COLLINS: I have never seen at this meeting --
13 if you have been at a meeting in this community, this is the
14 first time I've seen you. And if you -- this is the first
15 time that you have been here, welcome. But I see women here
16 tonight, a majority of women. And let me appeal to you on
17 that basis, woman to woman.

18 I have said maybe I will live long enough to see
19 this country in the hand -- control in the hands of woman.
20 We can't screw it up any more than the guys have. So maybe
21 we have a chance. So I'm going to appeal to you as one
22 woman to another. Okay. If you're wives, if you're
23 mothers, if you're somebody's daughter, would you want this
24 in your community? Would you want this in your backyard?
25 And when you go to bed tonight after you've hopefully said

1 your prayers, keep that in mind. And do in God's name after
2 13-1/2 years what is right for the majority of people of
3 Southeastern Michigan who have said we don't want this. So
4 do that for us. At least consider that much.

5 Thank you very much, and I hope to God this is the
6 last Tuesday that I have to take my time to come here to do
7 the same thing that I've done for 13 years, plus the fact
8 I'm missing a damn good hockey game too.

9 MR. NOVAK: 27, Tony Gibson.

10 MR. GIBSON: Thank you. Tony Gibson, G-i-b-s-o-n,
11 Van Buren Township Resident. This time I'm speaking as a
12 resident. You know, we've heard about 25 speakers ahead of
13 me, some technical, some not so technical. I've got a
14 question for you. Have you heard one of them come in
15 support of this well? Has anybody come here -- come on.
16 Stand up. Are you here tonight in support of this well?
17 Will you dare stand up? No. Of course, they're not going
18 to dare stand up.

19 Okay. Thank you. All right. I spoke on this
20 decision many times, the site review board denied it. Some
21 facts for you here.

22 90 percent of this waste is going to come in from
23 Canada. There's a working well about 125 miles away from
24 here at 80 net capacity. Why not ship it down there.
25 Firefighters' Union in Detroit are going to lose their

1 pensions. Millions of dollars. If I was a firefighter in
2 Detroit, I would be mad, real mad. I live in Van Buren
3 Township. We've got some stuff going on in Van Buren
4 Township. Hey, you know, we're handling it and stuff like
5 that.

6 So let's put a stop to this before it gets any
7 further. We don't need it. The Detroit River's what?
8 ten miles away? Are we going to wait 10,000 years to see if
9 we pollute the Detroit River? I don't think so. That's
10 what you're asking.

11 But now I have a technical question for you, if I
12 got this right here. I heard the scientist say earlier,
13 seven million gallons per month, per month, will flow into
14 these wells, and if I understand this correctly, you said
15 that's going to be modified to reflect the actual flow for
16 the life of the well.

17 I've got a question. Is that going to go up, or
18 is that going to go down? I bet you it will go up. I bet
19 you it won't go down. That would be nice if it went down,
20 if it went down to zero. But I bet you anything it's going
21 to go up. That's my question, will the flow increase over
22 the life.

23 They're saying it's at seven million gallons right
24 now. I bet you it comes back 14, 30 million gallons per
25 month. Thank you.

1 (Clapping).

2 MR. NOVAK: Nos. 28 and 29 filled out their
3 sheets, but it's indicated they don't want to speak.

4 28 and 29, do you want to say anything?

5 (No verbal response.)

6 MR. NOVAK: No. 30, Donald Mack.

7 (No verbal response.)

8 MR. NOVAK: No. 31, Rodney Hill.

9 MR. HILL: Good evening. My name is Rodney Hill.

10 I'm here representing Michigan Citizens Against Toxic
11 Substances, an organization that was organized 12 years ago
12 to oppose among other things a deep injection well that was
13 proposed for a landfill operation two miles away from the
14 city of Milan. We are here tonight in solidarity with the
15 folks of Romulus who have also been fighting and opposing a
16 deep injection well proposal; now, unfortunately, all too
17 real for a very long time.

18 We managed to remove, successfully oppose the
19 threat to our community, and it has always been our hope and
20 intention that we would help Romulus do the same thing. I'm
21 here objecting to the petition for the land ban exemption as
22 offered by EDS on the basis of your ability to do your job.

23 EPA promises governments of this permit at length
24 in your original presentation, but what you're not going to
25 tell us is how you expect to be able to do that based on the

1 realities that you have to deal with in order to do your
2 job, including your review phases.

3 We know from long history and observation that you
4 simply won't be able to do it. For one thing, you lack a
5 funding mandate from a congress who can only think about
6 cutting your budget, not providing you with the resources
7 that you request and that you need. We know that the
8 congress is not going to give you the funding wherewithal to
9 do the job.

10 We also know from observation that the leadership
11 of your supervision -- that is, our federal executive; that
12 is, our current president, including the White House and the
13 justice department -- have no interest in reducing the
14 bigness end of this proposal.

15 We also know that the commitment of EPA as
16 demonstrated by its current leadership is sorely lacking.
17 Forget sorely lacking. It is adamantly against an
18 enforcement action. Even when at your five years, your
19 twenty years, or whatever your reviews, even when you find a
20 violation, forget it. You're not going to enforce. You may
21 protest. You may rewrite the permit so that the violation
22 goes away. We've seen that many times before.

23 The general enforcement history indicates that any
24 enforcement action by EPA, God help me, by MDEQ, is only
25 going to happen after a catastrophic event has occurred.

1 Whatever that enforcement action will be, again, based on
2 general enforcement history, it will not come close to
3 remediating, to recovering, or to compensating the victims
4 of the damage of that catastrophic event.

5 I object to this land ban petition request on the
6 basis that you don't have the money; you don't have the
7 will; you don't have the commitment to protect us. That's
8 all.

9 (Clapping.)

10 MR. NOVAK: No. 32, Judi Frederick.

11 MS. FREDERICK: Frederick, F-r-e-d-e-r-i-c-k.

12 I'm here tonight because I don't believe this is a
13 well. A well brings something forth. This is just an
14 injection point or a boring hole. First of all, I'm here on
15 a totally different issue than what anybody's talked about
16 tonight, the land owner. I have a friend up North. She
17 called me last week. They hit gas pockets on her land. She
18 has 40 acres. She has 40 acres of stinking wells, and she
19 said to me, oh, you're so lucky to live in Romulus.

20 I said, well, how do you figure that?

21 She said, well, you have your mineral rights.
22 They're putting contaminants on your soil; you'll have a
23 royalty.

24 I said, what?

25 She said, think about it.

1 So I've been thinking about this. There are many
2 miner laws; the oldest are on the books. I hear that
3 nobody's given permission. I've asked a lot of my
4 neighbors. Have I missed something? Have I signed
5 something that I don't know about? I know when the airport
6 comes to your house and does this noise abasement or
7 whatever, you sign over your air space. So if people are
8 giving away their air space to the airport, are they not
9 doing the land space? Something's missing here.

10 It doesn't matter what you all are going to
11 decide, but you need to do the right thing, and that's deny
12 Sun or EDS permission to contaminate our land. I own my
13 mineral rights. I've not signed anything away. If I'm
14 missing something, is there something here I don't know
15 about?

16 I grew up in Melvindale. We had a salt mine under
17 our house. You used to hear explosions. We'd hear all
18 kinds of rumbling at night, and I'd say, why don't we do
19 something about it? And they said, well, we can't; it's
20 been grandfathered in many, many years.

21 So if Mr. Marshall and his friends get this valve
22 turned on, you're not going to turn it off. It's going to
23 be grandfathered in, just like that salt mine. And I don't
24 know if you can answer any of my questions or not, but the
25 people of Romulus and Taylor or wherever, if this is going

1 to go ten miles circumference, seven million gallons a
2 month, what are we charging per gallon?

3 Mr. Austin, do you know? Some of this is very
4 hazardous contaminants. You're talking a buck, \$50 a
5 gallon, whatever. I want the royalties. If I'm going to
6 kill myself, let me buy an island with these guys.

7 That's all. Thank you for your time.

8 (Clapping.)

9 MR. NOVAK: No. 33 filled out and also does not
10 want to speak. Do you want to speak? 33?

11 (No verbal response.)

12 MR. NOVAK: 34, Steve Lewkowicz.

13 MR. LEWKOWICZ: Lewkowicz. Hi, there. Good
14 evening, People of Romulus and surrounding communities and
15 EPA people.

16 MR. NOVAK: Spell your name, please.

17 MR. LEWKOWICZ: Steve Lewkowicz. Last name,
18 L-e-w-k-o-w-i-c-z. I live at 36723 Grant Road, Romulus,
19 Michigan here. I'm a lifetime resident.

20 You try to think of what to say when you come you
21 here to help you guys make a decision here, and I hope you
22 guys as EPA make the decision for we the people. I tried to
23 think of something that would be useful for your decision to
24 help stop this from coming to our town.

25 I am also a part of RECAP, Romulus

1 Environmentalists Care About People. We've always been
2 opposed to this. We helped shut down the first well that
3 was to be for injection that Environmental Disposal
4 Systems drilled a quarter mile from my home in a residential
5 area.

6 Jennifer Granholm on her second day after her
7 inaugural signed a bill that would ban companies from doing
8 business or getting permits for doing business that have
9 violated the laws, so a few things maybe you guys could
10 look into that would work against EDS in granting their
11 permits.

12 Once again, we had our site review hearing that
13 ruled them down for doing business of injection wells that
14 was held at Romulus High School. It's my belief that they
15 violated state laws pertaining to wetlands of wildlife
16 inhabitants on the proposed area that they're trying to do
17 business on.

18 Wake up on the end. Environmental Disposal
19 Systems, to my understanding, does not have enough land,
20 only half the requirement for the needed requirement land on
21 this permit of which they've drilled this well, this
22 application.

23 Wetlands. I'm trying to say that they have
24 violated wetlands in their process of drilling the second
25 well. So in any way if math is involved in your decision,

1 North-American Free Trade Association, I looked up in the
2 dictionary of trade, and most of this waste is being
3 generated from Canada and brought over here. A commodity is
4 something useful, good merchandise, items of commerce, which
5 toxic waste is not.

6 So anything that's generated in Canada -- and I
7 have nothing against Canada or the people of Canada but the
8 people who would violate our rights here in Romulus with our
9 land rights, mineral rights, and so on for money as this is
10 a commercial well. So that's all I have to say. Hopefully
11 you guys will make the right decision.

12 Thank you.

13 (Clapping.)

14 MR. NOVAK: Is there anybody who did not sign up
15 who would like to make a comment? All the people who have
16 signed up already have finished.

17 All right. Thank you. Let her know your name,
18 please.

19 MR. O'NEIL: My name is Thomas O'Neil,
20 O-'N-e-i-l. I'm a resident of Taylor for about 44 years.
21 The reason I didn't put my name in to speak is because as
22 one lady said earlier, we've lost faith. We've lost faith
23 in what we're saying. All these people have been coming up
24 and telling you they don't want it, and they're respectable
25 people.

1 The thing that I would say to you is we had
2 elected officials, and Mr. Priebe was one of these members,
3 and what they came up with, our representatives who were
4 involved in all the technical and everything that is
5 required, came up with a conclusion of no, 4:3. And by some
6 executive order, that was overridden. This is unbelievable
7 that someone would do this. And now it's almost as if with
8 your push, maybe someone's going to overrule you. Would you
9 deny it?

10 If I were in your position, I would deny this, and
11 if someone overruled it, let them be the fall guys, but not
12 you. Support the people because that's what they've been
13 trying to tell you. And listen to not only the people, but
14 listen to that board that Mr. Priebe was part of. They said
15 no. That should be the important thing. Thank you.

16 (Clapping.)

17 MR. NOVAK: Anybody else wish to make a comment?

18 The gentleman coming up, and then the lady in the back and
19 then in the front.

20 MR. GROVE: Thank you. My name is John Grove,
21 G-r-o-v-e, as in George. I'm a councilman of the city of
22 Taylor, I'm a 18-year planning commissioner in Taylor, and
23 15-year board of appeals member. I'm strictly opposed to
24 this. Our great city of Taylor has thrived with
25 developments and industry, and we strictly oppose any of

1 this deep well injection. Thank you.

2 (Clapping.)

3 MR. NOVAK: Lady in the back.

4 MS. SANCHEZ: My name is Diane Sanchez,
5 S-a-n-c-h-e-z. I'm Polish. This is my son Joseph. He's
6 been involved since he was eight months old, and I'm going
7 to have a real hard time explaining to him why he has been
8 attending all these meetings since he's been eight months
9 old. I've been saying no, and he's going to want to know,
10 but Mom, why do you go? Doesn't the system work? We've been
11 given rights. I told him and taught him to use them to
12 express your opinion, let them know you will be heard, and I
13 want to be heard. I still say no. Thank you.

14 (Clapping.)

15 MR. NOVAK: Ma'am?

16 MS. LAFRANCE: I'm trying to get through this.
17 I'm Mary Lafrance, L-a-f-r-a-n-c-e. Excuse me. I have a
18 cold. I just want to say that this is a classic case of
19 show me the money, you know. Our former governor clearly
20 got campaign donations from Doug Wickland, and, you know,
21 all the way through this thing has been disregarding the
22 will of the people, rewarding a company that has a track
23 record of violations. This is an inexperienced company as
24 far as toxic waste, and you're at the verge of giving them
25 what they want that the people and the site review board

1 have said is a bad idea. So I just want to say that for
2 once to do the right thing.

3 There are times when the EPA has done good things
4 like the dioxin reassessment, which just came out, but, you
5 know, in this case, I think you ought to go along with what
6 they're saying, to wait for the result of the appeal on the
7 Sun brine well situation. And I'll submit a written report
8 to back this statement up. Thank you.

9 (Clapping.)

10 MR. NOVAK: Anybody else with a verbal comment?

11 Yes, sir?

12 MR. CUSTER: My name is Corbin Custer,
13 C-u-s-t-e-r. I've lived in Taylor for the last 29 years.
14 And I heard overnight that the charts you have up here was
15 computer written, raised or designed. I came from Oklahoma
16 in the oil fields. I can remember the geologists going all
17 over the country, digging holes, trying to find oil, and
18 once in a while they got a good well after drilling down to
19 see what's under there. So I don't take much stock in your
20 stuff here. Then I overheard, I think, somebody asked about
21 the water you was going to use was going to come out of the
22 river, the Detroit City water supply, and you said, no,
23 they're going to drill the wells.

24 Okay. They drill the wells. What's that going to
25 do to the water table to the people who live outside the

1 area that has their own water wells? Thank you.

2 MR. NOVAK: Yes, ma'am.

3 MS. BROOKS: My name is Denise Brooks. I've been
4 a resident of Taylor for the last six years. We are
5 appealing to you, the Environmental Protection Agency, to
6 protect us. We are the people you are in charge -- you've
7 been charged with protecting. Please don't become the
8 Environmental Exemption Agency. We need your protection
9 now. This is what we're asking for. Please do your job and
10 protect us.

11 (Clapping.)

12 MR. NOVAK: Anybody else? We're getting close to
13 the time. We don't want to cut you off. Any other verbal
14 comment?

15 (No verbal response.)

16 MS. PERENCHIO: Okay. Let the record please show
17 that no one further indicates that they wish to enter
18 comments. I want to thank you all for coming here tonight.
19 Again, if you have written comments but did not wish to
20 speak, please give them to Sally Swanson at the table
21 outside of the room before you leave here tonight, and
22 please remember that you can still submit written comments
23 to us in Chicago until January 22d.

24 This concludes this hearing. I also wanted to say
25 that we did have to cut off the question-and-answer session

1 to have this hearing. If there are people that would like
2 to stay and talk to us, please feel free to do so. Thank
3 you.

4 (Proceedings concluded at 9:00 p.m.)

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1 STATE OF MICHIGAN)

) SS.

2 COUNTY OF WASHTENAW)

3 CERTIFICATE OF REPORTER

4 I, LYNNE MARIE ZAKRZEWSKI, Certified Shorthand

5 Reporter, a Notary Public, do hereby certify that I recorded

6 in shorthand the Proceedings had in the aforementioned

7 matter on the date hereinbefore set forth, and that the

8 foregoing 76 pages comprise a complete, true, and accurate

9 record to the best of my ability of said proceedings.

10

11

LYNNE MARIE ZAKRZEWSKI, RMR, CSR-3179

12

13 Notary Public, Washtenaw County, Michigan

14 My Commission Expires: 05/07/04

15 Dated: This 20th day of January, 2003

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